

# Western Oregon University

## FMLA (Federal Family and Medical Leave Act) OFLA (Oregon Family and Medical Leave Act)

Western Oregon University grants family and medical leaves to employees who qualify under the Federal Family and Medical Leave Act (FMLA) and/or the Oregon Family and Medical Leave Act (OFLA).

A family or medical leave is either requested by the employee directly or the university will invoke family or medical leave for an employee who has a qualifying event.

Examples of qualifying events are:

- (1) your own serious health condition,
- (2) care of a newborn child, adoption/foster care placement of a child and
- (3) care for a family member with a serious health condition.

In general, both FMLA and OFLA allow an employee 12 weeks of leave during a rolling 12 month period. The 12 month period is measured backward from the date an employee starts using FMLA or OFLA leave and continues with each additional leave day taken.

Unclassified employees must use all sick leave prior to requesting leave without pay while on FMLA/OFLA and may use accrued vacation leave; classified employees must use all accrued sick, vacation and personal leave before being placed on leave without pay while on FMLA/OFLA. The University must continue to provide the level of health benefits regardless of the paid status of the employee on FMLA/OFLA. You may also be covered by collective bargaining agreements and/or personnel rules/policies that are different than the federal FMLA/OFLA. In some cases because of these rules/policies, you may be entitled to more leave than is normally available under FMLA. The university must comply with the provisions that are most advantageous to employees. Leave under collective bargaining agreements and personnel rules/policies will run concurrently with leave available under FMLA. Your FMLA leave will also count as Oregon Family Leave Act (OFLA) leave.

Leave may be taken intermittently or on a reduced schedule under certain circumstances.

In most cases FMLA is more advantageous than OFLA; however, if state law is more generous, WOU will comply with state law. As a result you may be entitled to more leave than normally available under FMLA. You may qualify for both FMLA/OFLA please see the reverse of this sheet for additional information

For additional information, or if you have questions regarding WOU family and medical leaves, contact Alice Sprague in Human Resources at 503-838-8139.

**FMLA Leave – Federal Family and Medical Leave Act**  
**OFLA Leave – Oregon Family and Medical Leave Act**

<b><u>BENEFITS PROVIDED:</u></b>	<b><u>FMLA</u></b>	<b><u>OFLA</u></b>
Job Protection Rights	YES	YES
Health/Dental Insurance	YES	NO
<b><u>PROVIDES TIME OFF FOR:</u></b>	<b><u>FMLA</u></b>	<b><u>OLFA</u></b>
Care for newborn child, adoption/foster care placement – both maternal and paternal	YES	YES
Family member serious health condition	YES	YES
Parents-in-law covered:	NO	YES
Same-sex domestic partners covered:	NO	YES
Employee serious health condition	YES	YES
Female employees may take an additional 12 weeks of leave for pregnancy-related health conditions:	NO	YES
Child with minor illness requiring home care	NO	YES
Either parent may take 12 additional Weeks for this reason:	NO	YES

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<b><u>ELEGIBILITY</u></b>	<b><u>FMLA</u></b>	<b><u>OFLA</u></b>
180 days of employment; no hours test	NO	YES*
180 days of employment and must be working 25+ hours per week	NO	YES
12 months of employment <u>AND</u> Exempt employees .50 FTE+ Non-exempt employees 1,250 hours worked in last 12 months	YES	N/A

\* only for care for newborn child, or adoption/foster care placement.